

6.910 Purpose, powers, and duties of committee -- Confidentiality of working papers and other information -- Closed meetings authorized -- Witnesses -- Subpoenas.

- (1) The purpose of the Legislative Oversight and Investigations Committee shall be to serve as the main investigative committee in the General Assembly. The committee shall have the authority to investigate the subjects within the committee's legislative jurisdiction and within the jurisdiction of other standing or statutory committees of the General Assembly.
- (2) The committee shall have the discretionary power to:
 - (a) Make studies of the operations of state agencies to ascertain that sums appropriated have been, or are being, expended for the purposes for which such appropriations were made and to evaluate the effectiveness of programs in accomplishing legislative intent;
 - (b) Study on a continuing basis the operations, practices, and duties of state agencies, as they relate to efficiency in the utilization of space, personnel, equipment, and facilities;
 - (c) Make such special studies and reports of the operations and functions of state agencies as it deems appropriate and as may be requested by the General Assembly;
 - (d) Make such reports on its findings and recommendations at such time and in such manner as the committee deems proper, submitting such reports to the agencies concerned, to the Governor and to the General Assembly. Such reports shall relate to the following matters:
 1. Whether any state agency is carrying out only those activities or programs authorized by legal or administrative action; or
 2. Whether the programs and activities of a state agency, or a particular program or activity is being operated efficiently, effectively, or in accordance with legislative or administrative intent; or
 3. Whether there is a need for change in any authorized activity or program of a state agency; or
 4. Whether any reorganization of a state agency, or group of state agencies, is needed or justified to accomplish the results of programs or activities; or
 5. Any combination of the purposes specified in this or any other section of KRS 6.900 to 6.935;
 - (e) Treat information obtained or prepared by the committee or its staff as confidential working papers subject to release according to the operating rules and procedures adopted by the committee, and such information shall be exempt from the open records requirements contained in KRS 61.870 to 61.884. The committee may close certain meetings and project briefings to protect research pursuant to KRS 61.805 to 61.850, to allow the exchange of confidential materials, and information, to protect the identity of witnesses, when necessary, and to protect the integrity of the study. Any information protected by federal laws shall not be subject to public release;

- (f) Consider and act on requests for studies submitted by legislators, legislative committees, elected officials of state government, state cabinet secretaries, and department and agency heads. Requests shall be submitted in writing and shall state reasons to support the request. The decision of the committee to grant or deny such a request shall be final;
 - (g) Review any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction or the jurisdiction of any standing or statutory committee;
 - (h) Evaluate the effect of laws enacted to reorganize any branch of state government;
 - (i) Conduct studies directed by joint resolution of the General Assembly;
 - (j) When the General Assembly is not in session, conduct studies:
 - 1. Initiated by joint agreement of the co-chairs;
 - 2. Initiated by a majority vote of the committee; or
 - 3. Requested by the Legislative Research Commission or an interim joint committee thereof. In the event two (2) or more studies are requested, the priority among them shall be determined by the committee;
 - (k) After voting to undertake a review under paragraph (j)(2.) of this subsection, the committee shall notify the chair of the committee of relevant jurisdiction;
 - (l) To determine if a witness should be prosecuted for perjury by testifying falsely before the committee, and to institute appropriate penal proceedings as provided by law. Any finding under this paragraph shall require a majority vote of the committee; and
 - (m) Conduct a study of any matter without regard to jurisdiction of the matter being conferred to another statutory or standing committee.
- (3) Each witness who appears before the committee by its subpoena or order, other than an officer or employee of the state, shall be entitled to the fees and mileage provided for witnesses in civil cases in Circuit Court, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witnesses and approved by the chair of the committee.
- (4) The committee may issue subpoenas to compel the attendance and testimony of witnesses or the production of documents, books, papers, or other records. Subpoenas may be issued by agreement of the co-chairs or by a vote of the majority of the members of the committee and shall be served in the same manner as subpoenas for witnesses in civil cases. All provisions of law relative to subpoenas issued in such cases, including compensation of witnesses, shall apply to subpoenas issued by the committee.

Effective: March 12, 2021

History: Amended 2021 Ky. Acts ch. 14, sec. 3, effective March 12, 2021. -- Amended 1992 Ky. Acts ch. 79, sec. 3, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 328, sec. 2, effective July 15, 1980. -- Created 1978 Ky. Acts ch. 254, sec. 2, effective March 30, 1978.